

Attorney Docket: 27260U

MAIL STOP PCT

'U.S. Department Of Commerce, Patent And Trademark Office Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		Date: 31 March 2006 (31.03.2006)
International Application No.: PCT/CH2004/000610		U.S. Application No.: 801574227 (if known)
International Filing Date: 01 October 2004 (01.10.2004)		Priority Date Claimed: 01 October 2003 (01.10.2003) CH-1671/03
Title of Invention: METHOD FOR IN VITRO EVOLUTION OF POLYPEPTIDES Applicants for DO/EO/US: Bertschinger, Julian HEINIS, Christian		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (DO/US). 6. <input checked="" type="checkbox"/> An English translation of the International Application as filed (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)): a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.26 and 3.31 is included. The assignment is in favor of ETH ZURICH, Zurich, SWITZERLAND;</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2005/030957 A1, INTERNATIONAL PUBLICATION DATE: 7 APRIL 2005 (07.04.2005), WITH THE ENGLISH TRANSLATION CONSISTING OF 38 PAGES; 30 PAGES OF TEXTUAL SPECIFICATION, 3 PAGES OF 19 CLAIMS, 0 PAGE OF THE ABSTRACT, 5 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A AND B TO BE EXAMINED; EXECUTED DECLARATION AND POWER OF ATTORNEY; ASSIGNMENT WITH RECORDATION COVER SHEET TO ETH ZURICH, ZURICH, SWITZERLAND; PCT/IPEA/416; PCT/IPEA/09/ WITH A PATENT LITERATURE: CULL ET AL; XP 00244736; PCT/IPEA/408; PCT/IB/306 (NOTIFICATION OF THE RECORDATION OF A CHANGE); PCT/IPEA/210 (INTERNATIONAL SEARCH REPORT); PCT/IPEA/237; PCT/IPEA/401; FORM PCT/R/01/101; APPLICANT'S RESPONSE DATED DECEMBER 22, 2005 (GERMAN); APPLICANT'S RESPONSE TO WRITTEN OPINION DATED APRIL 6, 2005 (GERMAN); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>		

Attorney Docket: 27280U*

U.S. Application Number: (if known): Not Yet Assigned 10/574227		International Application Number: PCT/CH2004/000610	Date: 31 March 2006 (31.03.2006)																																													
<p>The following fees are submitted:</p> <p>21. Basic National Fee (37 CFR 1.492(a)) \$ 300.00</p> <p>22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 All other situations \$ 200.00</p> <p>23. Search Fee (37 CFR 1.492(B)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$ 400.00 All other situations \$ 500.00</p> <p><u>I</u> Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</p>		CALCULATIONS	PTO USE ONLY																																													
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 900.00																																														
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		\$ 0.00																																														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER: FILED</th> <th>NUMBER: EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>19-20=</td> <td>0</td> <td>X \$ 50.00</td> </tr> <tr> <td>INDEPENDENT</td> <td>1-3=</td> <td>0</td> <td>X \$ 200.00</td> </tr> <tr> <td>Multiple dependent claims(s) (if applicable)</td> <td></td> <td>+ \$360.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><u>TOTAL OF ABOVE CALCULATIONS =</u></td> <td style="text-align: center;"><u>\$ 900.00</u></td> </tr> <tr> <td colspan="4">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> </tr> <tr> <td colspan="3" style="text-align: right;"><u>SUBTOTAL =</u></td> <td style="text-align: center;"><u>\$ 450.00</u></td> </tr> <tr> <td colspan="4"> <p>Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +</p> <p><u>TOTAL NATIONAL FEE =</u> <u>\$ 450.00</u></p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <u>\$40.00 per property +</u></p> </td> </tr> <tr> <td colspan="3" style="text-align: right;"><u>TOTAL FEES ENCLOSED =</u></td> <td style="text-align: center;"><u>\$ 490.00</u></td> </tr> <tr> <td colspan="3"></td> <td>Amount to be: refunded charged</td> </tr> <tr> <td colspan="3"></td> <td style="text-align: center;">\$</td> </tr> </tbody> </table>				CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE	TOTAL	19-20=	0	X \$ 50.00	INDEPENDENT	1-3=	0	X \$ 200.00	Multiple dependent claims(s) (if applicable)		+ \$360.00	\$ 0.00	<u>TOTAL OF ABOVE CALCULATIONS =</u>			<u>\$ 900.00</u>	Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				<u>SUBTOTAL =</u>			<u>\$ 450.00</u>	<p>Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +</p> <p><u>TOTAL NATIONAL FEE =</u> <u>\$ 450.00</u></p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <u>\$40.00 per property +</u></p>				<u>TOTAL FEES ENCLOSED =</u>			<u>\$ 490.00</u>				Amount to be: refunded charged				\$	
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Attorney Docket: 27264U

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U.S. Application Number: (if known): Not Yet Assigned 10/574227	International Application Number: PCT/CH2004/000610	Date: 31 March 2006 (31.03.2006)
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- a. One check in the amount of \$ 490.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. Fees are to be charged to a credit card _____. WARNING: Information on this form may become public _____. Credit Card Information should not be included on this form.
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

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10/574227

102-2004-PCMD 31 MAR 2006
MAIL STOP PCT
Attorney Docket: 27280U
Date: March 31, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BERTSCHINGER et al.

Serial No.: Not Yet Assigned

Filed: March 31, 2006

Internat'l. Appl. No.: PCT/CH2004/000610

Internat'l. Filing Date: 01 October 2004 (01.10.2004)

Title: METHOD FOR IN VITRO EVOLUTION OF POLYPEPTIDES

TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/030957 A1; International Publication Date: 07 April 2005 (07.4.2005), with the English translation which consists of 38 pages:
 - 30 pages of Textual Specification,
 - 3 page of 19 Claims,
 - 5 sheets of Drawings;
- 4) Preliminary Amendment with Attachment A to be examined;
- 5) Executed Declaration and Power of Attorney;
- 6) Executed Assignment with Recordation Cover Sheet to ETH ZÜRICH, Zurich, SWITZERLAND;
- 7) PCT/IPEA/416;
- 8) PCT/IPEA/409 with a patent literature: Cull et al; XP 002043736;
- 9) PCT/IPEA/408;
- 10) PCT/IB/306 (Notification of the recording of a change);
- 11) PCT/ISA/210 (International Search Report);
- 12) PCT/ISA/237;
- 13) PCT/IPEA/401;
- 14) Form PCT/RO/101;
- 15) Applicant's response dated December 22, 2005(German);
- 16) Applicant's response to written opinion dated April 6, 2005 (German);
- 17) Check No.: 1899 in the Amount of \$ 490.00 for the Basic Filing Fee, which includes the Search and Examination Fees (\$450), as a Small Entity, and the Fee for Recordation of the Assignment (\$40);
- 18) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath, Reg. No. 26,965
Tanya E. Harkins, Reg. No. 52,993
Customer No. 20529

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